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Hearing Date: December 14, 2022  
Opposition Date: September 9, 2022  
Reply Date: October 10, 2022

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,	)	
Plaintiff-Applicant,	)	<b>Adv. Pro. No. 08-01789 (CGM)</b>
v.	)	
BERNARD L. MADOFF INVESTMENT SECURITIES, LLC,	)	<b>SIPA Liquidation</b>
Defendant.	)	<b>(Substantively Consolidated)</b>
In re:	)	
BERNARD L. MADOFF,	)	
Debtor.	)	
IRVING H. PICARD, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff	)	<b>Adv. Pro. No. 12-01699 (CGM)</b>
Plaintiff,	)	
v.	)	<b>ORAL ARGUMENT REQUESTED</b>
ROYAL BANK OF CANADA, individually and as successor in interest to Royal Bank of Canada (Asia) Limited; GUERNROY LIMITED; RBC TRUST COMPANY (JERSEY) LIMITED; BANQUE SYZ S.A., as successor in interest to Royal Bank of Canada (Suisse) S.A.; RBC DOMINION SECURITIES INC.; and RBC ALTERNATIVE ASSETS, L.P.,	)	
Defendants.	)	

**NOTICE OF MOTION TO DISMISS**

**PLEASE TAKE NOTICE** that, upon Defendants Royal Bank of Canada, individually and as successor in interest to Royal Bank of Canada (Asia) Limited, Guernroy Limited, RBC Trust Company (Jersey) Limited, Banque SYZ S.A., as successor in interest to Royal Bank of Canada (Suisse) S.A., RBC Dominion Securities Inc., and RBC Alternative Assets, L.P.'s (collectively, "Defendants") Memorandum of Law in Support of Its Motion to Dismiss ("Motion"), the accompanying Declaration of Anthony Paccione, dated July 8, 2022, and the exhibits thereto, the Amended Complaint, dated May 22, 2022 filed by plaintiff Irving H. Picard, Trustee (the "Trustee") for the Liquidation of Bernard L. Madoff Investment Securities LLC (the "Amended Complaint"), in the above-captioned adversary proceeding, and all prior pleadings and proceedings herein, Defendants move for an order dismissing the Amended Complaint, pursuant to Federal Rules of Civil Procedure 12(b)(2), 12(b)(6), 10(c) and 8(a) as made applicable by Rule 7012 of the Federal Rules of Bankruptcy Procedure, and for such other relief as the Court may deem just and proper.

**PLEASE TAKE FURTHER NOTICE** that, pursuant to the Stipulation and Order in this proceeding entered March 24, 2022, as modified by the Stipulation and Order to Amend the Briefing Schedule in this proceeding entered June 28, 2022, the Trustee shall respond to this motion by September 9, 2022. If the Trustee responds to the Motion, Defendants shall file their reply by October 10, 2022

**PLEASE TAKE FURTHER NOTICE** that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendants do not consent to the entry of final orders or judgment by this Court.

Dated: July 8, 2022  
New York, New York

/s/ Anthony Paccione

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